

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:09CR3005
)	
v.)	
)	
)	
AARON LAWLESS,)	
)	
Defendant.)	MEMORANDUM AND ORDER
)	

A hearing was held before me April 7, 2009 on allegations made in the petition for action on conditions of pretrial release. The defendant was present with counsel, and was advised of his rights. The defendant denied the allegations in the petition. The court heard evidence from the parties. From the evidence I find the allegation that the defendant used marijuana on or about March 5, March 6, and March 16, 2009 not to be proved by clear and convincing evidence. However, I find that the allegation that the defendant made threats towards an investigating law enforcement officer to have been proved by clear and convincing evidence.

Regarding disposition, the government sought detention. The defendant urged the court to consider additional drug testing or placement in a halfway house to ameliorate any threat the defendant's release might pose. While such a plan might be feasible to address the threat to the safety of others that the release of the defendant may pose, I have no such plan before me at this time. Until such a plan can be arranged, he should be detained. Accordingly,

IT THEREFORE HEREBY IS ORDERED: The previous order releasing the defendant on conditions, filing 14, is revoked. Defendant shall be detained until further order.

DATED April 7, 2009

BY THE COURT:

s/ *David L. Piester*
United States Magistrate Judge